

1st November 2023

IN THE SHADOW OF THE TALIBAN

Untold Stories of LGBTIQ+ Persecution in Afghanistan



Dr Charbel Maydaa
Afghanistan LGBTIQ+ Organization (ALO)

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“In the Shadow of the Taliban: Untold Stories of LGBTIQ+ Persecution in Afghanistan”

EXECUTIVE SUMMARY

The situation of the LGBTIQ+ community in Afghanistan has been a concealed tragedy for decades. With the resurgence of the Taliban, their peril has only intensified, often evading international attention. This report strives to shed light on sixteen heart-wrenching testimonies of LGBTIQ+ Afghans who have reported sexual assaults at the hands of the Taliban.

Our primary objective is to amplify their stories, advocate for their rights, and hold the perpetrators accountable. We aim to inform international human rights bodies, governments, NGOs, and the international community about the horrific abuses faced by the LGBTIQ+ community in Afghanistan and to emphasize the urgent need for action.

The sixteen stories documented are drawn from various regions within Afghanistan, with the majority of the survivors currently seeking refuge in Europe or neighboring countries of Afghanistan. Their testimonies share chilling similarities, portraying a systematic pattern of abuse and degradation based on their sexual orientation, gender identity, and gender expression.

The gravity of their narratives is not just limited to individual assaults; it also reflects a broader systemic suppression and violence by the Taliban against marginalized communities. This report underscores the psychological, social, and physical impacts of such assaults on the survivors, highlighting the deep scars, both visible and invisible, that they have left behind.

However, in the midst of this darkness, there's a glimmer of resilience. Many survivors, despite their traumatic experiences, are seeking justice, raising their voices, and hoping for a more inclusive future for Afghanistan.

As we unveil these harrowing accounts, we call upon the international community to recognize, condemn, and act against the human rights violations committed against the LGBTIQ+ community in Afghanistan. This report serves as both a testament to the indomitable spirit of the survivors and a clarion call for global solidarity and action.

We implore international organizations, governments, and individuals to rally together, ensuring that these stories are not just heard, but also acted upon. The time for acknowledgment is over; the time for action is now.

A brief overview of the key findings, main objectives of the report, and its significance.

Key Findings:

1. **Systematic Persecution and Sexual Violence:** The narratives uniformly demonstrate the Taliban's profound prejudice against LGBTIQ+ individuals, using sexual violence as a means of control. This systemic abuse is not random but a reflection of broader human rights violations across the country.
2. **Psychological Trauma:** The impacts of such relentless persecution extend beyond physical harm, manifesting in severe psychological issues like depression, anxiety, and suicidal tendencies, underscoring the need for psychological support alongside physical safety.
3. **Challenges in Reporting and Seeking Justice:** There exists a pervasive fear among survivors regarding reporting these atrocities. The Taliban's destruction of evidence and intimidation tactics have created an environment where seeking justice seems futile, further traumatizing the survivors.
4. **Double Jeopardy - Societal and Familial Prejudice:** Beyond the Taliban's oppression, societal and familial prejudices compound the plight of LGBTIQ+ individuals, making their struggle two-fold: against a hostile regime and an unsupportive community.
5. **Weaponization of Identity:** The report highlights how personal identities are weaponized against LGBTIQ+ individuals, through tactics like blackmail and exploitation, exacerbating their vulnerability.

Objectives of the Report

Raising Awareness: To shed light on the gravity of the situation faced by LGBTIQ+ individuals in Taliban-controlled Afghanistan, providing a detailed and humanized perspective of their struggles.

Advocating for Global Intervention: To urge international organizations, governments, and human rights advocates to recognize and act upon the need for immediate and effective intervention in the region.

Highlighting the Need for Comprehensive Support: To emphasize the necessity of not just physical protection but also psychological and social assistance for the interviewees.

Documenting Evidence of Human Rights Violations: To compile and present comprehensive evidence, including personal narratives and classified photographic documentation, to corroborate the claims of systemic abuse and persecution.

Significance of the Report

Humanizing the Crisis: By presenting individual stories, the report goes beyond statistics, bringing to light the human element of the crisis, thus fostering empathy and a deeper understanding of the LGBTIQ+ community's plight.

Underscoring Systemic Issues: The detailed accounts emphasize that the challenges faced by LGBTIQ+ individuals in Afghanistan are not isolated incidents but are indicative of systemic human rights violations requiring international attention.

Providing a Platform for Voices Unheard: This report gives a voice to those who have been silenced and marginalized, allowing their stories to be heard on a global stage.

Catalyzing Action: By presenting compelling evidence, the report seeks to catalyze action among international bodies and human rights organizations, pushing for concrete steps toward providing asylum, legal support, and medical and psychological aid to the survivors.

Educational Resource: The report serves as an educational resource for policymakers, human rights activists, and the general public, fostering greater awareness and

understanding of the challenges faced by LGBTIQ+ individuals in extremist regimes.

This report is a comprehensive analysis that not only highlights the dire circumstances faced by LGBTIQ+ individuals in Afghanistan but also serves as a call to action for the international community. The stories of Sophia, Sohrab, Siavash, Sahel, Almas, and others are not merely narratives of suffering but are potent reminders of the resilience of the human spirit in the face of extreme adversity. It is imperative that these voices are not only heard but also acted upon, ensuring that global efforts are mobilized to address this humanitarian crisis. The ultimate goal of this report is to instigate change and provide hope for a future where the rights and dignities of all individuals, irrespective of their sexual orientation or gender identity, are respected and protected.

The central aims of this examination are as follows:

1. To elevate and disseminate the accounts of LGBTIQ+ Afghan nationals who have survived sexual violence at the hands of Taliban operatives.
2. To champion the human rights of the LGBTIQ+ collective in Afghanistan and ensure that justice is served upon those responsible for such violations.
3. To furnish international entities concerned with human rights, as well as governments, NGOs, and the wider international constituency, with detailed information and facts regarding the maltreatment of the LGBTIQ+ group in Afghanistan.
4. To underscore the pressing imperative for measures to safeguard and aid the LGBTIQ+ community within the Afghan context.

The importance of this report is rooted in its illumination of the frequently neglected plight of LGBTIQ+ individuals in Afghanistan. Through documentation and dissemination of survivor narratives, the intention is to enhance awareness and galvanise a universal response and support. The aspiration is that such exposure will not only validate and empower those who have suffered but will also forge a path for meaningful dialogue and tangible changes. In doing so, this report provides a framework for policymakers, strategists, and humanitarian efforts to better navigate and remedy the particular adversities encountered by the Afghan LGBTIQ+ population. In essence, this report stands as an urgent summons to the international sphere, imploring recognition, denunciation, and proactive measures in response to the human rights offenses inflicted upon the LGBTIQ+ inhabitants of Afghanistan.

INTRODUCTION

The Taliban's Stance on LGBTIQ+ Rights

Afghanistan, strategically located at the intersection of Central and South Asia, boasts a multifaceted history extending over thousands of years. This nation has repeatedly found itself at the epicentre of major global confrontations, most notably during the 'Great Game' between the British Empire and Tsarist Russia, and subsequently the Cold War clashes between the U.S. and the Soviet Union. Such tumultuous events have indelibly impacted its socio-political landscape. While Afghanistan is characterized by its cultural diversity—with a mosaic of ethnic, linguistic, and religious groups—it has conventionally maintained conservative perspectives on sexuality and gender, predominantly shaped by tribal norms and religious tenets.

Originating in the 1990s, the Taliban is a radical militant faction that melds rigorous interpretations of Islamic jurisprudence. This amalgamation yields a particularly stringent, oftentimes punitive, moral code. The paucity of LGBTIQ+ rights under the Taliban regime epitomizes this rigid doctrine. The Taliban perceives same-sex acts as a profound transgression of Islamic tenets. In their previous regime during the late 1990s and early 2000s, allegations of same-sex acts often culminated in severe retributions, inclusive of public executions. Such punitive actions were not merely retributive but also served as instruments of intimidation to consolidate power and quell dissent. The recent resurgence of the Taliban has reignited apprehensions among the Afghan LGBTIQ+ populace, emphasizing the exigency for international vigilance and advocacy concerning their human rights.

Contextual Analysis of LGBTIQ+ Issues in Afghanistan

In order to thoroughly examine LGBTIQ+ problems in Afghanistan, it is necessary to explore the many complex elements of societal, legal, and health-related factors, taking into account the scarcity of particular study on the challenges faced by LGBTIQ+ individuals in Afghanistan. The notion of intersectionality is crucial since it acknowledges the complex experiences of people who own numerous identities and are

subjected to different systems of oppression. This method is especially applicable in Afghanistan, where issues such as gender, disability, and socioeconomic determinants of health have substantial influence. The influence of sociocultural factors on views regarding domestic violence in Afghanistan is significant, since economic, sociological, and gender-related aspects contribute to the formation of societal beliefs. These circumstances may coincide with the problems encountered by the Afghan LGBTIQ+ population, emphasising the need for a sophisticated comprehension of their distinct hardships. The impact of legal frameworks on social views towards same-sex partnerships, as seen in different situations, suggests the possible consequences for Afghanistan's legislative and sociological environment, especially in the absence of explicit references to European research. The challenges preventing support for LGBTIQ+ persons experiencing intimate partner abuse are of utmost importance, as studies emphasise the structural and cultural barriers that may have a significant impact within the Afghan setting. Studies on societal stigmas and their influence on mental well-being across various cultural groups indicate possible psychosocial difficulties faced by the Afghan LGBTIQ+ population. Moreover, the wider social and health-related aspects, including violence in school environments, employment prejudice, and healthcare accessibility, are of utmost importance. The experiences of LGBTIQ+ persons in Afghanistan are greatly impacted by the sociocultural setting, which is shaped by cultural standards, religious beliefs, and legislative constraints. Comprehending the social factors that influence health, such as maternal health and family planning, is crucial for effectively tackling the wide-ranging health concerns faced by the LGBTIQ+ population. To fully comprehend LGBTIQ+ concerns in Afghanistan, it is necessary to use a comprehensive analytical approach that incorporates research on domestic violence, sociocultural factors, and psychological and societal consequences. It is crucial to integrate meticulous scholarly research with personal accounts and human rights records to formulate efficient advocacy and intervention tactics for the Afghan LGBTIQ+ population. This extensive research seeks to provide a thorough and exhaustive examination, using several sources to give insights into the intricate terrain of LGBTIQ+ matters in Afghanistan, without depending on particular regional comparisons.

The purpose of the report

The primary objective of this report is to cast light on the often-overlooked issue of sexual assault against LGBTIQ+ individuals in Afghanistan, particularly in the context of Taliban rule. This report endeavours to inform the international community about the egregious human rights violations faced by the LGBTIQ+ community in Afghanistan by documenting and sharing the personal stories of survivors, emphasising the urgency and

gravity of the situation. It also seeks to encourage international organisations, human rights bodies, and civil society actors to take immediate and effective steps to protect and support affected individuals and communities. In addition, this report seeks to promote accountability by holding the Taliban and other responsible parties accountable for these violations, ensuring justice for the survivors, and preventing future atrocities. Through the amplification of survivors' experiences, the report aims to empower and elevate their voices, providing a forum for them to express their traumas, challenges, and aspirations, while nurturing a greater understanding and empathy among readers. Ultimately, the report seeks to guide and influence policies, strategies, and interventions that can effectively address the unique challenges faced by the LGBTIQ+ community in Afghanistan by providing a clear picture of the realities on the ground.

METHODOLOGY

The methodology for gathering the narratives in this report involved conducting in-depth interviews. The process faced several challenges, primarily centered around building trust with the participants, given the sensitive and potentially dangerous nature of their experiences. To ensure the safety and privacy of the individuals involved, several measures were implemented:

- **Use of Pseudonyms:** All participants were given fake names to protect their identities.
- **Interviews with Individuals Outside Afghanistan:** The interviews were conducted with individuals who have already left Afghanistan, reducing the risk of reprisals.
- **Psychological Support:** All participants referred to in this report have received psychological or Financial aid services to help them cope with their experiences.

These measures were crucial in ensuring the authenticity of the accounts while safeguarding the well-being and privacy of the interviewees.

SPOTLIGHTED NARRATIVES

Key Stories

1- Sophia, a transgender woman, was brutally gang raped by Taliban forces in Afghanistan in September 2023. She was ambushed, abducted, and taken to a hidden location where six Taliban members, including a commander, sexually assaulted her multiple times. They inflicted severe physical and psychological trauma through violent rape and torture. Sophia captured video evidence of the commander raping her, which exposed the Taliban's atrocities against vulnerable minorities they persecute. Sofia reported feeling traumatized and suicidal after the life-shattering experience of sexual terrorism. As a transgender woman, she faces ongoing threats of recurring violence and imprisonment under Taliban rule. The Taliban specifically targets LGBTIQ+ people and ethnic/religious minorities for brutal human rights abuses. Sophia's case provides rare proof of the regime's crimes against its own citizens.

The incident occurred in Kunduz, on September 24, 2023. After being raped, Sophia changed her location and went out with her boyfriend. Sophia is currently outside Afghanistan.

2- Sohrab, a gay man from Kabul, was secretly involved in a romantic relationship with his male neighbor. Their clandestine relationship was discovered by their families, leading to threats of death due to the prevailing socio-cultural norms. The situation took a dark turn when Sohrab's aunt's husband, a high-ranking member of the Taliban, had him arrested on charges related to his sexual orientation. During his incarceration, which lasted approximately two months, Sohrab was subjected to unimaginable horrors. He was singled out and brutally raped multiple times by the prison head, Mullah Wahidullah, as well as by Wahidullah's guards. One particular night stood out in the depths of his trauma when a Taliban member summoned Sohrab to his cell, and he was violently assaulted, leading to severe physical injuries and mental anguish. The aftermath of these violations resulted in continuous bleeding, immense pain, and a profound sense of degradation. Following this ordeal, Sohrab's mental well-being has been severely compromised. He has been grappling with extreme distress, frequent nightmares, and suicidal tendencies. The sheer weight of the trauma has left him praying for an end to his suffering. His family, fearing further reprisals from the Taliban, has been living in an environment of continuous dread. Sohrab's mental turmoil has been further exacerbated by the torment inflicted upon him by his own family

members. Despite the severe risks involved, Sohrab has reached out to report his ordeal to a caseworker in hopes of finding some form of respite or assistance.

Sohrab's boyfriend's situation is equally dire. He has been in hiding for over three months, with Taliban forces attempting to apprehend him on multiple occasions. Without any familial support and in a more precarious situation than Sohrab, the boyfriend's life hangs in the balance. Neither Sohrab nor his boyfriend have sought medical attention, including testing for HIV or other STDs, due to the associated risks and stigma.

3- Siavash, a gay man from Kabul, faced severe persecution and assault following the Taliban's ascent to power in Afghanistan. After being unjustly expelled from university because of his sexual orientation, Siavash's plight deepened. He had an encounter with a man purporting to be a high-ranking Taliban commander during a hospital visit for his nephew's heart ailment. This man deceitfully extracted Siavash's contact and social media information. Using this, he threatened Siavash with death unless he complied with his sexual demands. When Siavash resisted, he was kidnapped and subjected to three days of brutal sexual violence by the commander and two other accomplices. A month later, the trauma was relieved when the commander summoned Siavash to his residence and raped him under the threat of a gun. Seeking justice, Siavash managed to capture a video call with the commander as proof of the assault. But, when he lodged a complaint, the influential commander was briefly detained, released within a day, and all incriminating videos were deleted from Siavash's device.

This grim episode became emblematic of Siavash's life after the republic's fall. After his university expulsion, a further blow came when a hospital security head discovered his Facebook profile, leading to further threats and sexual exploitation. Despite recording incriminating video evidence, Siavash's attempt to bring the commander to justice was futile, given he was detained only briefly.

Desperately recounting his ordeal, Siavash paints a picture of sustained torture and fear. The physical violence he endured over three days has left not just scars on his body, but an indelible mark on his psyche. No evidence or witnesses exist, and the looming threat of the commander's continued advances hangs heavy. Compounding his trauma is the fear of his family discovering his orientation, a revelation that might lead to punishment from his own kin. Siavash has been forced into hiding, altering both his location and appearance. He reached out to multiple organizations for assistance, to little avail. The

weight of his experiences manifests in severe anxiety and distress, exacerbated by the commander's ongoing threats. Living under a constant disguise, Siavash fears being recognized or trailed by his assailant. Although he has blocked the tormentor on WhatsApp, new threats emerge on Telegram. Siavash is ensnared in a vicious cycle, with the rapist constantly reminding him of their impending, ominous confrontation.

4- Sahel, a gay individual from Mazar-e Sharif, has endured repeated sexual assault from multiple Taliban members since their rise to power in 2021. He was exploited by acquaintances and Taliban members through blackmail, threats, and physical force. Some of these assaults were secretly filmed, which were later used for further blackmail. Sahel's efforts to report these incidents to the Taliban authorities went unnoticed. Out of fear and societal stigmatization, Sahel has shared his ordeal with only one close friend. His family, already disapproving of his gender identity, remains unaware of the traumatic events. Following the incidents, Sahel sought medical attention for injuries and the potential risk of STDs, which, fortunately, returned negative. The continuous victimizations have gravely impacted Sahel's mental well-being, making him feel hopeless, depressed, and suicidal about his future in Taliban-controlled Afghanistan.

5- In January 2023, **Almas**, a transgender woman from Panjshir, Afghanistan, faced a harrowing ordeal at the hands of the Taliban. While at a café with friends, they were caught smoking hookah, a forbidden act under the Taliban regime. The ensuing events saw Almas and one friend raped by the Taliban forces while the third was spared. They were later taken to a police station, subjected to physical abuse, and accused of "sodomy" by a Taliban commander. Following this traumatizing experience, Almas was compelled to pose for photographs and videos, vowing to abstain from perceived homosexual behaviors and avoid appearing feminine in public. Despite her release, the trauma lingers; Almas suffers from depression, rape-induced nightmares, and an overwhelming fear that prevents her from venturing outside. While she has sought assistance from various international organizations, she hasn't reported the incident to the authorities. The fear of judgment and reprisal, especially from her family, weighs heavily on her. She has not consulted a doctor or psychologist nor has she been tested for HIV/STDs. Months after the incident, the psychological scars remain, and Almas continues to grapple with the debilitating fear of a repeat assault.

6- The case of **Sima**, a lesbian from Balkh, Afghanistan, who was attacked and raped by Taliban soldiers, presents a complex situation involving physical and psychological trauma, displacement, and threats. Sima has suffered from venous

bleeding and wounds on her back as a result of the attack, leading to severe mental health issues, including depression and shock. She has not reported the incident to authorities and has been indirectly threatened by her cousin's family. Sima has sought medical help, including testing for HIV and other STDs, and has received psycho-social support. She has been forcibly displaced both internally and externally, facing threats and financial problems in a new city and country. Despite these challenges, she has not sought help from any organization.

7- Soraya, a lesbian woman from Kabul, provides a harrowing account of the threats and violence she faced after the Taliban seized control. Soraya and her sister, living without their parents, were coerced into forced marriages and faced a traumatic incident on June 23, 2022, when a person named Amirullah entered their home with the intention of forcibly marrying Soraya. Despite her resistance, she was violently attacked, resulting in physical and mental trauma. The incident has left her in a precarious economic situation, with serious mental health challenges and the constant threat of being found and harmed by the Taliban. Soraya has sought medical help and been tested for HIV and other STDs but has not received psychological support. She has not reported the incident to the authorities and has not sought help from any organization. Soraya expresses a desperate need for urgent assistance to relocate to a safer country, psycho-social support, and economic assistance. She also desires justice for the violence she experienced and holds the Taliban accountable for their actions.

8- The interview with **Rina**, provides a distressing account of the violence and trauma he experienced in Afghanistan. As an intersex woman, Rina faced severe physical and sexual violence at the hands of the Taliban police in District Three of Kabul. He was raped and subjected to three days of physical torture, including beatings and humiliation. Rina did not report the incident to the authorities due to fear of retribution and lack of trust in the justice system. He expressed deep psychological distress, anxiety, and a constant fear of being targeted by the Taliban. Rina has not received medical or psychological support and is in a precarious economic and security situation. He desires to be relocated to a safer country where he can live without fear and receive psycho-social support.

9- Bilal reveals a distressing account of sexual assault and coercion by a Taliban member and an acquaintance. Bilal was coerced into a car by an acquaintance, Shahin, and taken to a shop in Kabul, where he was sexually assaulted by a Taliban member, Mawlawi Rahman. Bilal was threatened and forced to stay the night, experiencing severe psychological distress. He did not report the incident to the authorities due to fear of

retribution and a lack of trust in the government. Bilal's mental health has been severely impacted, and he has not received medical or psychological support. He expressed fear of further threats and persecution by the Taliban, and his main concern is his safety and security.

10- Nasrin, a trans-woman from Herat, Afghanistan, reveals a distressing account of repeated sexual assault and violence by her uncle and a Taliban soldier. Nasrin has been subjected to rape, physical harm, and threats, leading to severe psychological distress and suicidal thoughts. She has not reported the incidents due to a lack of trust in the authorities and fears of retribution. Nasrin's mental health has been severely impacted, and she has not received medical or psychological support. She expressed fear of further threats and persecution, and her main concern is her safety and security. Nasrin desires to be relocated to a safer environment and receive psycho-social support.

11- The interview with **Rahmat** reveals harrowing experiences of sexual assault and violence by Taliban forces. Rahmat was first assaulted by a group of Taliban members led by Omar Haqqani at a checkpoint, where they beat and sexually assaulted him. He was subsequently imprisoned and tortured. In a separate incident, Rahmat and a friend were attacked and beaten by the Taliban at a resort outside the city. Rahmat has been subjected to severe physical and emotional harm, leading to suicidal thoughts and severe mental distress. He has not reported the incidents due to fear of retribution and the Taliban's persecution of LGBTIQ+ individuals. Rahmat's mental health has been severely impacted, and he has not received adequate medical or psychological support. His main concern is his safety and security, and he desires to be relocated to a safer environment and receive psycho-social support.

12- The interview with **Zainab**, a bisexual woman from Kabul, Afghanistan, reveals a distressing account of sexual assault and violence by Taliban forces. Zainab was subjected to a terrifying attempt at assault and physical assault by Taliban members, leading to severe physical and emotional harm. She has been living in a hidden place to escape her husband and the Taliban, facing psychological issues, displacement, and financial difficulties. Zainab has been threatened and forced into marriage, and her life has been severely impacted by the traumatic incidents. She escaped from Afghanistan to one of the neighboring countries and desires to relocate to a safer country and receive psycho-social support, and she seeks justice for the oppression she has experienced.

13- The interview with **Laila** reveals a distressing account of repeated sexual assault and violence by Taliban soldiers in Laghman, Afghanistan. Laila, a trans woman, was

subjected to severe physical and emotional harm, including rape, torture, and threats. She has suffered from mental and emotional problems and has been threatened by the Taliban, leading to a sense of fear and insecurity. After being forcibly displaced to Islamabad, Pakistan, she continues to face threats and harassment, with no access to psycho-social support. Laila desires to be relocated to a safer place, receive psycho-social support, and seek justice for the oppression she has experienced.

14- The interview with **Sam**, a trans-man from Afghanistan, reveals a harrowing account of repeated sexual assault and violence by Taliban soldiers in Baghlan and Kabul. Sam was subjected to rape, physical assault, and threats, leading to severe mental and emotional distress. He has experienced suicidal thoughts and has been under the care of a doctor and psychologist in Uppsala, Sweden. After being forcibly displaced to Uppsala, he continues to face threats and harassment, impacting his mental well-being.

15- The interview with **Fatima** from Mazar-e-Sharif, Afghanistan, reveals a distressing account of sexual assault and violence by a person affiliated with the Taliban group. Fatima was subjected to rape and verbal violence, leading to severe mental and emotional distress. She has been threatened and lives in fear for her safety. After being forcibly displaced to neighbouring countries, she continues to face threats and harassment, with no access to psycho-social support. Fatima desires to be relocated to a safer place, receive psycho-social support, and seek justice for the oppression she has experienced.

16- The interview with **Sakina**, a self-described bisexual female from Faryab, Afghanistan, reveals a harrowing account of being kidnapped, raped, and threatened by Taliban members. Sakina has been struggling with depression and has sought help from psychologists but has not experienced positive effects on her mental health. After being forcibly displaced to Iran, she continues to face threats and harassment, with no access to psycho-social support. Sakina desires to be relocated to a safer place, receive psycho-social support, and seek justice for the oppression she has experienced.

ANALYSIS

The stories of Sophia, Sohrab, Siavash, Sahel, Almas, Sima, Soraya, Rina, Bilal, Nasrin, Rahmat, Zainab, Laila, Sam, Fatima, and Sakina powerfully emphasise the immediate necessity for global focus and intervention in addressing the difficult situation faced by LGBTIQ+ individuals in Afghanistan. The accounts presented to provide a vivid and powerful depiction of the deliberate persecution, sexual aggression, and psychological suffering endured by this marginalised community under the control of the Taliban forces. The deliberate and harsh mistreatment inflicted upon these people is not sporadic, but rather a reflection of a wider pattern of human rights abuses throughout the nation.

Every account, whether it pertains to a transgender or homosexual person, vividly illustrates the regime's profound bias. The recurrent motif in these accounts is the use of sexual violence and assault by the Taliban as a means of exerting control. The consequences of these traumatic events are significant and enduring, leading to serious psychological wounds, such as sadness, anxiety, nightmares, and, in very unfortunate instances, suicide inclinations. The aggressive atmosphere in this setting also fosters a widespread apprehension about reporting these acts of violence, since efforts to pursue legal action are often greeted with more intimidation or even the deliberate elimination of evidence.

The stories of Sophia, Sohrab, Siavash, Sahel, and Almas serve as symbols of the structural challenges encountered by LGBTIQ+ persons in Afghanistan under the reign of the Taliban. The harrowing ordeals of Sophia and Almas, specifically, illuminate the intentional victimisation of transgender persons, using sexual assault as a means of subjugation. Similarly, the experiences of Sohrab and Siavash demonstrate the severe mistreatment of gay persons, where social stigmatisation is used as a method to assert control and impose penalties.

These testimonies expose a more extensive issue of the Taliban's misuse of authority. The cases of Siavash, Sahel, and Sohrab exemplify how the Taliban officials and their associates use their positions, using intimidation, extortion, and pressure to carry out atrocious deeds without being held accountable. This not only strengthens their malevolent actions but also creates an atmosphere where survivors feel helpless in pursuing legal recourse. These accounts further emphasise the Taliban's attempts to

repress any behaviour or association that they consider "un-Islamic" or against their rigorous understanding of Sharia law, inducing fear and stifling opposition.

Furthermore, these narratives underscore the intrinsic perils encountered by the LGBTIQ+ population, including social marginalisation and state-sanctioned subjugation. The fear of reprisal from relatives, as seen in the instances of Siavash and Almas, introduces an additional element of susceptibility, therefore exposing the extent of prejudice and misunderstandings within familial systems. These acts of hostility are not just isolated events; they are clear examples of the Taliban's systemic behaviors marked by intolerance, tyranny, and mistreatment. This scenario underscores the urgent need for global intervention and philanthropic endeavours to provide assistance and safeguard vulnerable populations living under the governance of the Taliban.

Ultimately, these stories together provide a distressing depiction of the harsh truths faced by LGBTIQ+ persons in Afghanistan. The need for global involvement to safeguard and assist these persons is evident. There is an urgent need for people to go to safer places, have access to psychological and social assistance, and have ways to seek justice and hold those responsible for terrible acts accountable. The testimonies presented here highlight the urgent need for collective action to combat the human rights abuses and atrocities endured by LGBTIQ+ persons in Afghanistan. These accounts underscore the need for global unity and assistance in addressing this issue. Even though many months have passed after the occurrence, Almas still experiences psychological trauma and struggles with an overwhelming dread of another attack.

Highlights

The narratives provided offer an intimate glance into the traumatic experiences of LGBTIQ+ individuals in Afghanistan post-Taliban resurgence, further illustrated through **five highlighted stories**. These detailed accounts that we got through these interviews not only paint a dire picture of the lived experiences of these individuals but also lay bare the systemic violence, discrimination, and persecution they face.

The upsetting stories serve as powerful testaments to the brutal realities encountered by the LGBTIQ+ community under the Taliban regime. Each story, supported by tangible photographic evidence that will remain classified for the safety of the interviewees, underscores the extent of the abuse and suffering endured. These powerful personal narratives provide a more comprehensive understanding of the situation, bringing to

light the depth and severity of the challenges faced by LGBTIQ+ individuals in a society where they are systematically marginalized and targeted.

These documented experiences vividly capture the fear, pain, and desperation that plague the lives of these individuals daily. The evidence presented in these stories not only corroborates the accounts of persecution but also emphasizes the urgent need for a global response. It becomes evident that these are not isolated incidents but part of a broader, systemic issue of human rights violations that demands immediate attention and action.

In essence, the highlighting of these compelling stories serves a crucial role in advocacy and awareness efforts. It provides proof of the atrocities committed and reinforces the call for international intervention and support for the LGBTIQ+ community in Afghanistan. It is also a poignant reminder of the resilience of these individuals and the critical need for a concerted effort to ensure their safety, dignity, and human rights.

1. Sophia's Story: Multimedia Evidence and the Persecution of Minorities:

Sophia's tale underscores the depth of violence LGBTIQ+ individuals face, particularly transgender women, under the Taliban regime. The audacious act of capturing video evidence, despite the significant risk, highlights a desperate attempt for justice or to shed light on the regime's cruelty. Her case underscores the Taliban's systematic persecution of LGBTIQ+ communities, emphasizing the extent to which these groups are endangered.

2. Sohrab's Story: Familial Ties and Institutionalized Homophobia:

Sohrab's narrative illustrates the dire consequences of familial connections with extremist factions. His intimate relationship, rather than being a source of comfort, became a catalyst for his suffering due to socio-cultural prejudices. Institutionalized homophobia, as demonstrated by the prison assaults, underscores how pervasive and sanctioned such violence is. The desperation and mental torment, further exacerbated by family pressure, paints a dire picture of life for LGBTIQ+ individuals in this context.

3. Siavash's Story: Systemic Injustice and Perpetual Fear:

Siavash's experiences detail the multifaceted persecution faced by LGBTIQ+ individuals. From educational discrimination to manipulative sexual exploitation by those in power, the narrative underscores a bleak reality: systemic complicity in oppressing marginalized communities. Siavash's futile efforts to attain justice, despite possessing evidence, illustrate the authoritarian nature of the regime and its indifference towards such crimes.

4. Sahel's Story: Blackmail and the Repercussions of Exposure:

Sahel's narrative is particularly poignant, detailing the weaponization of one's sexual identity through blackmail. The filming of assaults for subsequent exploitation is a cruel tactic that underscores the vulnerability of LGBTIQ+ individuals. Sahel's hesitancy to disclose these ordeals, coupled with the looming threat of familial judgment, further emphasizes the dual challenge of societal stigma and physical peril.

5. Almas's Story: Public Spaces as Arenas of Violence:

Almas's experience serves as a grim reminder of the dangers that LGBTIQ+ individuals face in public settings under extremist rule. The story underscores that seemingly innocuous acts, like smoking hookah, can turn catastrophic when one belongs to a persecuted group. The subsequent psychological impact, from depression to nightmares, echoes the profound trauma of public humiliation and violence.

These stories serve as a haunting testament to the multi-faceted perils faced by LGBTIQ+ individuals in Taliban-controlled Afghanistan. These narratives, resonating with pain, fear, and an urgent plea for understanding, weave a tapestry of systemic, pervasive, and culturally entrenched violence that this marginalized community confronts daily.

One of the most striking observations from these narratives is the inherent duality of their challenges. Not only are these individuals targeted by the extremist factions in power, but they are also subjected to societal stigmatization, even from those they might consider family or close friends. This combination creates an environment where oppression is not just external but also internal, seeping into their personal spaces and

relationships. It's not merely about confronting a hostile regime, but also about navigating the treacherous waters of community and familial judgment. The two-fold struggle exemplifies the extreme vulnerability of their position.

Furthermore, there's an evident theme of weaponizing one's identity against them. Whether it's through the act of filming assaults for subsequent exploitation, as seen in Sahel's case, or the manipulative extraction of personal information leading to coerced sexual demands, as with Siavash, these stories showcase a chilling strategy employed by oppressors. It's not just about exerting power but doing so in ways that continuously remind these individuals of their perceived 'inferiority'.

Another critical observation is the alarming regularity of sexual violence. These aren't isolated incidents but seem to be part of a more extensive pattern of using sexual assault as a tool of domination, intimidation, and subjugation. The descriptions of physical pain, from continuous bleeding to severe injuries, meld seamlessly with the mental trauma, creating a cycle of agony that seems unending for its survivors.

Moreover, the fruitless quests for justice, as depicted especially in Siavash and Sophia's stories, shine a spotlight on the broader systemic issues. Even when presented with irrefutable evidence, the authoritarian regime displays an almost willful ignorance, highlighting its complicity in these crimes. The oppressive environment, where even the bravest attempts to seek justice are thwarted, leaves the survivors in a state of hopelessness. Their cries for help, often desperate and risking further reprisals, are a testament to the sheer extremity of their circumstances.

Yet, amidst all the anguish, there's an undeniable thread of resilience. Sophia's act of capturing evidence, Sohrab's reaching out to caseworkers, and Siavash's attempt to bring his assaulter to justice, all hint at an indomitable spirit that refuses to be completely subdued. Their stories are not just tales of hood, but also of courage and a fervent hope for change.

In conclusion, these narratives challenge the global community to look beyond mere statistics and policies and to truly engage with the lived realities of LGBTIQ+ individuals in regions characterized by extremist rule. They underscore the urgent need for international interventions, both diplomatic and humanitarian, to address the systemic and deeply entrenched prejudices against these communities.

LEGAL EXAMINATION

1. Providing a comprehensive understanding of the legal framework in Afghanistan

The Taliban's return has significantly undermined the legal and human rights framework in Afghanistan, especially for marginalized groups such as LGBTIQ+ persons. People with diverse sexual orientations and gender identities lack legal protection under the Taliban administration. The Taliban strictly prohibits same-sex relations and transgender identities under its interpretation of Sharia law, resulting in harsh penalties, including a capital penalty. The strict and severe legal position in question sharply contradicts the established international standards and agreements on human rights, which prioritise the fundamental rights to life, freedom, and protection for all individuals, regardless of their sexual orientation or gender identity.

2. Comparison of International Human Rights Law and Taliban Jurisprudence

The report highlights a significant violation of various international human rights laws, including the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the Committee on the Elimination of Discrimination against Women (CEDAW), and the Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment, which Afghanistan has agreed to uphold. These international accords guarantee the right to life and protect against torture, incarceration, and discrimination based on sexual orientation or gender identity. Furthermore, the deliberate and organised assault on individuals belonging to the LGBTIQ+ community in Afghanistan might be classified as a crime against humanity according to international criminal law. The egregious systemic human rights abuses against LGBTIQ+ individuals in Afghanistan may potentially be classified under Article 7(h) of the Rome Statute, which Afghanistan has agreed to abide by. The December 2022 policy document released by the prosecutor's office of the International Criminal Court (ICC) explicitly declares that acts committed against individuals according to their sexual orientation, gender identity, sex characteristics, and gender expression may be

considered gender persecution according to the Rome Statute. The Taliban's actions contravene these fundamental principles since they specifically target those who identify as LGBTIQ+, hence raising significant apprehension throughout the global community.

3. The Dilemma of Seeking Legal Recourse and Ensuring Responsibility

Survivors have an overwhelming obstacle when attempting to get legal recourse and responsibility under the current court system in Afghanistan, which is under Taliban rule. The legal system is significantly shaped by the Taliban's radical understanding of Sharia, resulting in the absence of any provisions for safeguarding LGBTIQ+ rights. The report's allegations provide a comprehensive description of how efforts to pursue legal recourse are met with more intimidation, deletion of evidence, and, in some instances, harsh penalties. The absence of legal remedies not only sustains the pattern of violence but also indicates a total collapse of legal and judicial systems.

4. Social stigmatisation and consequences within the family

The report highlights the additional challenges posed by cultural shame and family consequences, which further complicate the legal environment. Even in a hypothetical situation if the Taliban administration were to exhibit more tolerance, the presence of social and family biases against LGBTIQ+ persons presents substantial obstacles to the pursuit of justice. Survivors often experience exclusion, physical harm, and even honour murders perpetrated by their own families, highlighting the urgent need for legal and societal changes.

5. Global Legal Responsibilities and Actions

The international community has a responsibility, as stipulated by several human rights treaties and conventions, to address these infringements on human rights. In documenting these abuses, providing platforms for asylum and refugee support, and exerting diplomatic pressure on the Taliban regime to adhere to international human rights standards, mechanisms such as the United Nations Human Rights Council, the

International Criminal Court, and various international human rights NGOs can have significant roles.

6. Legal Intervention Recommendations

- Utilise international platforms to campaign for the rights of LGBTIQ+ persons in Afghanistan in international forums. This may include advocating for the imposition of sanctions or using other diplomatic measures to exert pressure on the Taliban government in order to halt their breaches of human rights.
- Documentation and reporting: Please proceed with the ongoing documentation of instances of abuse and breaches of human rights, as outlined in the report. This material may play a crucial role in future judicial processes and international advocacy endeavours.
- Advocacy for granting asylum and refugee status: Promote and streamline the procedure for LGBTIQ+ people seeking asylum or refugee status as a result of persecution. International organisations and countries have the ability to provide priority to these persons in their programmes for refugees and resettlement.
- Offer legal assistance and capacity-building programmes to aid LGBTIQ+ persons in navigating asylum procedures and comprehending their rights as defined by international law.
- Engage with international legal agencies to draw attention to these abuses. One possible course of action is to submit reports to the UN Special Rapporteur on Sexual Orientation and Gender Identity or to petition the International Criminal Court to examine these instances as crimes against humanity.

THE IMPACT OF SEXUAL VIOLENCE ON THE FORCED RELOCATION AND DISPLACEMENT OF LGBTIQ+ INDIVIDUALS IN AFGHANISTAN

The widespread sexual assault against LGBTIQ+ persons in Afghanistan has substantial consequences for both internal and external displacement. Many individuals are compelled to leave their homes due to the fear of being persecuted, and they subsequently seek refuge either inside Afghanistan's borders or in neighboring nations. The process of moving from one location to another is often dangerous and filled with difficulties, as people must traverse areas governed by unfriendly groups or enter nations where their refugee status may not be acknowledged.

Internally displaced LGBTIQ+ persons endure a perilous life, sometimes living in concealment and enduring continual apprehension of exposure. Although external displacement has the potential to enhance safety, it also presents a distinct set of issues. These include the task of negotiating intricate asylum procedures in nations that may not acknowledge sexual orientation or gender identity as valid reasons for seeking refuge. Furthermore, host nations often subject LGBTIQ+ refugees to prejudice and violence, exacerbating the trauma they have already endured.

There is an immediate and pressing need to move to safer places. It is imperative for international organisations and governments to give utmost importance to safeguarding and assisting LGBTIQ+ persons from Afghanistan, including guaranteeing them access to asylum procedures that acknowledge the unique risks they encounter. This entails offering psychiatric assistance to treat the psychological impact of sexual assault and displacement, as well as guaranteeing their protection and preserving their dignity in the nations where they seek refuge.

RECOMMENDATIONS

To the United Nations High Commissioner for Refugees (UNHCR):

- *Resettlement Prioritization:* Advocate for the prioritization of LGBTIQ+ Afghans in resettlement programs to countries recognized as safe for sexual and gender minorities, considering the risks in neighboring countries.
- *Asylum Accessibility:* Facilitate the process for LGBTIQ+ Afghans to seek asylum in neighboring states, such as Pakistan and Iran, especially in light of recent deportations.
- *Staff Sensitization:* Ensure UNHCR personnel are adequately trained and informed about diverse sexual orientations and gender identities, promoting respect for the rights of LGBTIQ+ individuals.

To Humanitarian and Aid Organizations Operating in Afghanistan:

- *Inclusive Aid Distribution:* Guarantee that humanitarian aid is dispensed equitably, without discrimination based on gender identity or sexual orientation.

To International Accountability Mechanisms:

- *Documentation and Investigation:* Systematically document the persecution of LGBTIQ+ individuals by the Taliban and other groups in Afghanistan, advocating for investigations by bodies like the International Criminal Court under the Rome Statute for Gender Persecution of LGBTIQ+ people as a crime against humanity.
- *- UN Special Rapporteur Engagement:* Urge the UN Special Rapporteur for Afghanistan to thoroughly evaluate the situation of LGBTIQ+ people under Taliban rule and report to the UN Human Rights Council.

To International Communities and Concerned Governments:

- *Recognition and Diplomatic Pressure:* Recognize the systematic persecution of LGBTIQ+ individuals in Afghanistan and employ political and diplomatic means to pressure the Taliban to halt violence and discrimination.
- *Inclusion in Peace Processes:* Include LGBTIQ+ individuals in decision-making processes related to Afghanistan's future, acknowledging their targeting by the Taliban during conflicts.
- *Safe Pathways Establishment:* Establish safe and legal pathways for the transfer of LGBTIQ+ individuals to safer countries.
- *Support for Civil Society:* Engage with and support civil societies and organizations advocating for LGBTIQ+ rights in Afghanistan, ensuring their access to financial resources.

To Host Countries of Afghan Asylum Seekers and Refugees:

- *Equal Rights and Access:* Ensure that LGBTIQ+ asylum seekers enjoy equal rights and access to protection, labor markets, education, healthcare, and housing.
- *Consideration of Unique Asylum Circumstances:* Acknowledge the unique circumstances of LGBTIQ+ asylum seekers, including forced marriages and conformity to social norms, in asylum evaluations.
- *Trauma-Informed Asylum Processes:* Implement trauma-informed practices in asylum interviews and provide appropriate psychosocial support.
- *Culturally Sensitive Interpreters:* Employ interpreters trained in LGBTIQ+ terminologies and issues during asylum interviews.

To the United Nations Assistance Mission in Afghanistan (UNAMA):

- *Establishing a significant alliance and active involvement with Afghan LGBTIQ+ civil society organisations to effectively coordinate and provide comprehensive humanitarian aid that is inclusive.*
- *Recording and disclosing instances of human rights abuses, specifically including sexual assault, gender-based violence, and discrimination based on sexual orientation, gender identity, gender expression, and sex characteristics.*
- *Advocating for the interests of LGBTIQ+ individuals during discussions and talks with the Taliban, while ensuring their safety is not compromised.*

CONCLUSION

The main points discussed in the report are as follows:

- 1 - The situation of the LGBTIQ+ community in Afghanistan has been a concealed tragedy for decades, and with the resurgence of the Taliban, their peril has intensified.
- 2 - The report sheds light on ten heart-wrenching testimonies of LGBTIQ+ Afghans who have reported sexual assaults at the hands of the Taliban, aiming to amplify their stories, advocate for their rights, and hold the perpetrators accountable.
- 3 - The testimonies reveal a systematic pattern of abuse and degradation based on sexual orientation or gender identity/expression, reflecting a broader systemic suppression and violence by the Taliban against marginalized communities.
- 4 - The report highlights the psychological, social, and physical impacts of these assaults on the survivors, emphasizing the deep scars they have left behind.
- 5 - Despite their traumatic experiences, many survivors are seeking justice, raising their voices, and hoping for a more inclusive future for Afghanistan.

The importance of addressing this issue and advocating for the rights of LGBTIQ+ Afghans cannot be overstated. The report serves as a testament to the indomitable spirit of the survivors and a clarion call for global solidarity and action. It calls upon the international community to recognize, condemn, and act against the human rights violations committed against the LGBTIQ+ community in Afghanistan. The time for acknowledgment is over; the time for action is now. It implores international organizations, governments, and individuals to rally together, ensuring that these stories are not just heard, but also acted upon. The report emphasizes the urgent need for action to protect and support affected individuals and communities, promote accountability, and prevent future atrocities. By providing a clear picture of the realities on the ground, the report seeks to guide and influence policies, strategies, and interventions that can effectively address the unique challenges faced by the LGBTIQ+ community in Afghanistan.

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ANNEXES/APPENDICES

1 - Acronyms and abbreviations

AHRDO: Afghanistan Human Rights Democracy Organization

CEDAW: Convention on the Elimination of All Forms of Discrimination Against Women

GBV: Gender-Based Violence

GIJTR: Global Initiative for Justice, Truth and Reconciliation

ICC: International Criminal Court

ICCPR: International Covenant on Civil and Political Rights

ICESCR: International Covenant on Economic, Social and Cultural Rights

ICSC: International Coalition of Sites of Conscience

LGBTIQ+: Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, and others

NGO: Non-Governmental Organization

SGBV: Sexual and Gender-Based Violence

UDHR: Universal Declaration of Human Rights

UNAMA: United Nations Assistance Mission in Afghanistan

UNHCR: United Nations High Commissioner for Refugees

2 - Sample of the consent forms for participation

Consent Form for Participation in Research on Conflict-Related Sexual Violence

This consent form is established between the undersigned participant (XXXX) and the Afghanistan LGBTIQ+ Organization (ALO) regarding your contribution to a research project involving a written report and a podcast on Conflict-Related Sexual Violence.

By participating, you agree to share your testimony and insights for the purposes of this research. In recognition of your valuable contribution and to ensure mutual understanding and agreement, the following terms are set forth:

Grant of Permission:

You hereby grant ALO the permission to use:

Your voice (in audio recordings) and any written text provided by you or about your experiences, for inclusion in the research report and associated podcast.

Your likeness, in the form of still imagery or video content, if applicable, for promotional or educational purposes related to the project.

Privacy and Anonymity:

ALO commits to maintaining your anonymity and privacy throughout the project.

Specifically:

Your real name, surname, address, and any personally identifying information will not be disclosed in the report, podcast, or any related publications.

ALO will implement appropriate security measures to safeguard your identity and ensure your participation does not compromise your privacy or safety.

Agreement Confirmation:

If you consent to the terms outlined and agree to participate under these conditions, please provide your details below as confirmation.

Name (Print): _____

Date: _____

Signature: _____

Email (optional): _____

By signing this form, you affirm your understanding of its contents and voluntarily agree to participate in the research project under the terms described.

3 - Sample of consent to be referred

Participant Referral Sheet

Project Title: Conflict-Related Sexual Violence Study

Participant ID: _____

Date: _____

Participant Needs Assessment

Please check the services that the participant may require and provide any additional notes that could assist in the referral process:

- Medical Support (e.g., physical examination, treatment for injuries)
- Psychological Support (e.g., counseling, trauma therapy)
- Legal Assistance (e.g., advice, representation)
- Social Support Services (e.g., housing, financial aid)
- Safety Planning and Support
- Other: _____

Referral Action Plan

Initial Assessment Completed By: _____ (Interviewer)

Follow-Up Required: Yes No

Urgency Level: Immediate High Medium Low

Referral Coordinator: _____ (Name/Position)

Date of Referral: _____

Notes and Observations:

Participant Acknowledgment

I acknowledge that the above needs have been discussed with me, and I consent to being referred to the appropriate services as determined by the assessment. I understand that specific service providers have not been named to protect confidentiality and that I will be provided with options where possible.

Participant's Signature: _____ Date: _____

This report has been produced under “**Afghanistan: Advancing Rights Adopting an Inclusive and Victim-Centered Documentation and Memorialization Approach,**” a project by the International Coalition of Sites of Conscience (ICSC), through its Global Initiative for Justice, Truth and Reconciliation (GIJTR), and the Afghanistan Human Rights Democracy Organization (AHRDO).”



International Coalition of
SITES of CONSCIENCE

AHRDO
Afghanistan Human Rights and Democracy Organization



GIJTR
Global Initiative for Justice,
Truth & Reconciliation